

2005 DRAFTING REQUEST

Bill

Received: **10/01/2004**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Statz**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Nat. Res. - fish and game**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Statz, BB0127 -

Topic:

Pheasant hunting

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			State
/1	rkite 10/06/2004	jdye 10/12/2004	rschluet 10/12/2004	_____	lnorthro 10/12/2004		State
/2	rkite 10/19/2004	jdye 10/20/2004	pgreensl 10/20/2004	_____	lemery 10/20/2004		State
/3	rkite 01/11/2005	jdye 01/11/2005	rschluet 01/11/2005	_____	lnorthro 01/11/2005		State
/4	rkite 01/21/2005	jdye 01/21/2005	chaugen 01/21/2005	_____	lnorthro 01/21/2005		State
		jdye	rschluet	_____			

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		01/21/2005	01/21/2005	_____			
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/5	mglass	kfollett	rschluet	_____	mbarman		
	01/21/2005	01/21/2005	01/21/2005	_____	01/24/2005		

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15 KJ
1/21
21 5

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14 1/2 jcd
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/1	rkite 10/06/2004	jdye 10/12/2004	rschluet 10/12/2004	<u>10/20</u> p8/m	Inorthro 10/12/2004		
<p>FE Sent For:</p> <p style="text-align: center;"><END></p>							

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1/?	rkite	1 10/11 jld	10	12			

FE Sent For:

<END>

2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Managed pheasant hunts at Bong Recreational Area

- Tracking Code: (Assigned by Government Operations Team)

BB 0127

- SBO team: ECR

- SBO analyst: Andrew J. Statz

- Phone: 266-7329

- Email: andrew.statz@doa.state.wi.us

- Agency acronym: DNR

- Agency number: 370

Attachment 7

2005-07 Statutory Language Proposals

DIVISION:	Land Division
BUREAU:	Wildlife Management/Southern Forest
ISSUE/TOPIC:	Bong Managed Hunt – Program Revenue
PROPOSED CHANGE:	Modify the language in 20.370 (1)(hr) as follows: (hr) <i>Pheasant Restoration and Management</i> . All moneys received under s. 29.191 (2) for developing, managing, preserving, restoring and maintaining the wild pheasant population in the state, <u>and the moneys received from fees for managed pheasant hunts at Bong Recreation Area for maintenance related to those hunts and for costs related to producing pheasants for those hunts.</u>
EXPLANATORY NOTE:	The Department is authorized to hold special managed pheasant hunts at the Bong State Recreation Area in Kenosha County. Participants in the hunts are charged a fee of \$5.00 in addition to any hunting licenses they are required to have. The revenue from the fee currently goes into the Fish & Wildlife account as general SEG revenue to the account. Pheasants for these hunts are obtained from the Poynette Game Farm, and stocked on the property for the hunts. In part due to recent budget reductions, the hunts have become more difficult to provide, both from operating budget reductions at the property and reduced pheasant production at the game farm. The Department is requesting that the revenue received from the managed hunts be treated as program revenue, and be deposited in the modified appropriation to be used to fund the hunts to continue to be able to provide this special opportunity. The revenue generated by the managed hunts ranges from \$22,000 to \$34,343 annually, depending on participation rates.
DESIRED EFFECTIVE DATE:	The effective date of the 2005-07 Biennial Budget.
CONTACT PERSON:	Eric Thompson, Bureau of Management & Budget, 266-8251.



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0383/1

RNK: 1.....

D-Note

Jld

DOA:.....Statz, BB0127 - Managed pheasant hunts

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

SOON

do not gen

1 AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES ✓

FISH, GAME, AND WILDLIFE ✓

* Under current law, no person may hunt pheasant without a license issued by the Department of Natural Resources (DNR). With certain exceptions, the hunter must also have a pheasant hunting stamp, issued by DNR, attached to the person's license. DNR charges a fee for both the hunting license and the stamp. ✓

This bill authorizes DNR to authorize managed pheasant hunts in state recreation areas and to establish a fee to participate in those hunts. The bill requires DNR to expend the moneys received from these fees for to operate these managed pheasant hunts and to pay the costs related to producing pheasants for these hunts. *

✓ For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.370 (1) (hr) of the statutes is amended to read: ✓

3 20.370 (1) (hr) Pheasant restoration and management. All moneys received ✓

4 under s. 29.191 (2) for developing, managing, preserving, restoring and maintaining

- 1 the wild pheasant population in the state and all moneys received under s. 29.1915 ✓
- 2 (2m) for the operation of managed pheasant hunts and the costs related to producing
- 3 pheasants for those hunts.

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185; 2001 a. 16, 56, 92, 108, 109; 2003 a. 33, 228, 251, 310, 314, 321, 327.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats. ✓

SECTION 2. 29.1915 (2m) of the statutes is created to read: 29.1915 ✓

5 ~~29.1915 (2m)~~ The department may authorize managed pheasant hunts in state

6 recreation areas. The department may establish a fee to participate in those hunts.

7 The fees collected under this subsection shall be credited to the appropriation under

8 s. 20.370 (1) (hr). ✓

(END)

29.1915 = managed pheasant hunts.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0383/1dn

RNK:.....
jld

This bill authorizes DNR[✓] to establish managed pheasant hunts in any state recreation area, not just the Bong State Recreation Area. This gives DNR flexibility to establish managed pheasant hunts in other recreation areas. Is this O.K.?

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0383/1dn
RNK:jld:rs

October 12, 2004

This bill authorizes DNR to establish managed pheasant hunts in any state recreation area, not just the Bong State Recreation Area. This gives DNR flexibility to establish managed pheasant hunts in other recreation areas. Is this O.K.?

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

Kite, Robin

From: Statz, Andrew
Sent: Friday, October 15, 2004 4:19 PM
To: Kite, Robin
Subject: RE: LRB Draft: 05-0383/1 Managed pheasant hunts



ATT267664.txt

Yes, please narrow the treatment to Bong. Thanks.

-----Original Message-----

From: Kite, Robin [mailto:Robin.Kite@legis.state.wi.us]
Sent: Friday, October 15, 2004 8:19 AM
To: Statz, Andrew
Subject: RE: LRB Draft: 05-0383/1 Managed pheasant hunts

Andrew:

As my drafter's note states, I assumed that you would want to give DNR flexibility to establish managed pheasant hunts in areas other than Bong. But if you do not want to do this in the draft, I will be happy to redraft so that DNR may establish these hunts only in the Bong Recreation Area. Let me know if you would like me to do a redraft to narrow the scope of the draft.

Robin

-----Original Message-----

From: Statz, Andrew
Sent: Wednesday, October 13, 2004 2:42 PM
To: Kite, Robin
Subject: FW: LRB Draft: 05-0383/1 Managed pheasant hunts

I got your drafter's note.

Why does the treatment address ALL recreation areas?

How do we get the draft to refer only to Bong?

Andrew J. Statz
State Budget Office
608-266-7329

-----Original Message-----

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.state.wi.us]
Sent: Tuesday, October 12, 2004 9:27 AM
To: Statz, Andrew
Cc: Grinde, Kirsten; Hanaman, Cathlene; Haugen, Caroline; Schaeffer, Carole
Subject: LRB Draft: 05-0383/1 Managed pheasant hunts

Following is the PDF version of draft 05-0383/1.

*Bong State
Recreation Area under*



State of Wisconsin
2005 - 2006 LEGISLATURE

2mR
2
LRB-038315
RNK:jld:rs

DOA:.....Statz, BB0127 - Managed pheasant hunts

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

FISH, GAME, AND WILDLIFE

Under current law, no person may hunt pheasant without a license issued by DNR. With certain exceptions, the hunter must also have a pheasant hunting stamp, issued by DNR, attached to the person's license. DNR charges a fee for both the hunting license and the stamp.

✓ This bill authorizes DNR to authorize managed pheasant hunts in ^{the Bong} state recreation areas and to establish a fee to participate in those hunts. The bill requires DNR to expend the moneys received from these fees to operate these managed pheasant hunts and to pay the costs related to producing pheasants for these hunts.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 20.370 (1) (hr) of the statutes is amended to read:

3 20.370 (1) (hr) *Pheasant restoration and management.* All moneys received
4 under s. 29.191 (2) for developing, managing, preserving, restoring and maintaining

1 the wild pheasant population in the state and all moneys received under s. 29.1915
2 (for the operation of managed pheasant hunts and the costs related to producing
3 pheasants for those hunts.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 **SECTION 2.** 29.1915 of the statutes is created to read:

5 **29.1915 Managed pheasant hunts.** The department may authorize
6 ✓ managed pheasant hunts in the Bong state recreation areas. The department may establish
7 a fee to participate in those hunts. The fees collected under this section shall be
8 credited to the appropriation under s. 20.370 (1) (hr).

9 (END)

DOA request -

Eric Thompson - DNR - 6-8251

Pheasant hunting permit to hunt pheasants
on DNR land (use usual phrase) where
pheasants are stocked

In order to do this need:

small game (conservation patron license)

pheasant hunting stamp

" " permit

\$9.75 - resident & non-resident

.25 - issue fee (bonus ^{like} deer hunting permit)
no processing fee

2 approps

(1) (hr) - 5 days same

create new approp.

all money received under 29.1915 (Bong fees)
and all money from permits are to
go for stocking & prop. of pheasants & for
operation of managed pheasant hunts (x-ry
to Bong)

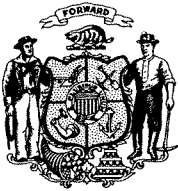
make permit a separate section

eff date - 4-1-06

call Eric about validation of permit - do we
need this?

Per Eric -

wants to allow DNR, by rule, to require hunter to
mark the permit (or slit/cut) to show how many
pheasant have been taken



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0383/4
RNK:jld:pg

D-Note

DOA:.....Statz, BB0127 - Managed pheasant hunts

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

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Under current law, no person may hunt pheasant without a license issued by DNR. With certain exceptions, the hunter must also have a pheasant hunting stamp, issued by DNR, attached to the person's license. DNR charges a fee for both the hunting license and the stamp.

This bill, ~~authorizes~~ ^{may also} DNR to authorize managed pheasant hunts in the Bong State Recreation Area and ~~to~~ establish a fee to participate in those hunts. The bill requires DNR to expend the moneys received from these fees to operate these managed pheasant hunts, ~~and~~ to pay the costs related to producing pheasants for these hunts.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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SECTION 1. 20.370 (1) (hr) of the statutes is amended to read:

[and to stock and propagate pheasants on lands under DNR's management and control]

1 20.370 (1) (hr) *Pheasant restoration and management*. All moneys received
2 under s. 29.191(2) for developing, managing, preserving, restoring and maintaining
3 the wild pheasant population in the state and all moneys received under s. 29.1915
4 for the operation of managed pheasant hunts and the costs related to producing
5 pheasants for those hunts.

✓
insert 2-5
✓
***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

insert 2-6
6 SECTION 2. 29.1915 of the statutes is created to read:

7 **29.1915 Managed pheasant hunts.** The department may authorize
8 managed pheasant hunts in the Bong State Recreation Area. The department may
9 establish a fee to participate in those hunts. The fees collected under this section
10 shall be credited to the appropriation under s. 20.370 (1) ~~(hr)~~ (hr)
11

(END)

d-note
↓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0383/3dn

RNK: ↑....

Jld

This draft authorizes DNR to issue pheasant hunting permits for hunting pheasant on DNR lands that are stocked with pheasants. I have included certain exemptions from the permitting requirements that are similar to the pheasant hunting stamp exemptions under current law (s. 29.191 (2) (a) 2., 3., and 4., stats.). You will note that the exemptions include an exemption for any person hunting pheasant outside of a pheasant management zone. If you did not intend to include these exemptions, please let me know and I will redraft accordingly.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

INSERT JOY
(TO INSERT 2-10)

SECTION #. 29.563(14)(c) 4.; AM

29.563(14)(c) 4.

4. Each bonus deer hunting permit issued for which a fee is charged under s. 29.563 (2) (c) 1. or (d) 1. or (d) 75 cents.

(end ins)

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0383/3ins.
RNK:.....

INSERT ANALYSIS

DNR

This bill generally requires a person to obtain an additional permit from DNR in order to hunt pheasants on certain pheasant stocked lands lands under DNR's management and control. Under the bill, the department may issue these permits to any person who has a valid conservation patron license or who has a valid pheasant hunting stamp attached to or imprinted on the person's small game or sports license. The bill authorizes DNR to charge a fee for the license. permit ✓

INSERT 2-5

SECTION 1. 20.370 (1) (hw) of the statutes is created to read:

20.370 (1) (hw) *Pheasant hunting fees.* All moneys received under § 29.1915 and all moneys received under § 29.185 for the stocking and propagation of pheasants on lands under the department's ownership, management, supervision, or control and for the operation of managed pheasant hunts in the Bong State Recreation Area under s. 29.1915. ✓

INSERT 2-6

SECTION 2. 29.185 of the statutes is created to read:

29.185 Pheasant hunting permits. (1) REQUIREMENT. No person may hunt pheasant on lands that are stocked with pheasants and that are under the department's ownership, management, supervision, or control unless the person has been issued a pheasant hunting permit by the department.

(2) ISSUANCE. (a) The department may issue a pheasant hunting permit, (subject to s. 29.624) to any of the following who apply for the permit:

1. The holder of a valid conservation patron license. ✓
2. The holder of a valid license authorizing the hunting of small game to which is attached, on which is imprinted, a pheasant hunting stamp issued under s. 29.191 (2). ✓
3. The holder of a valid sports license to which is attached, on which is imprinted, a pheasant hunting stamp issued under s. 29.191 (2). ✓

4

INS 2-6
CONT

(b) 1. Any person who is exempt from the requirement to have a license authorizing the hunting of small game or who is not required to pay a fee for a license authorizing the hunting of small game is exempt from the requirements under par. (a).[✓]

2. Any person hunting pheasant under s. 29.195[✓] is exempt from the requirements under par. (a).[✓]

(3) RECORD OF PHEASANT TAKEN. The department may require, by rule, that each person that is issued a pheasant hunting permit under this section[✓] record the number of pheasant taken by that person on lands under the department's ownership, management, supervision, or control.

(4) USE OF MONEY FROM FEES. The fees collected under this subsection[✓] shall be credited to the appropriation under s. 20.370 (1) (hw).[✓]

INSERT 2-10

[✓]
SECTION 3. 29.563 (2) (c) 3. of the statutes is created to read:

29.563 (2) (c) 3. Pheasant: \$9.75.

SECTION 4. [✓]29.563 (2) (d) of the statutes is renumbered 29.563 (2) (d) 1.[✓]

SECTION 5. [✓]29.563 (2) (d) 2. of the statutes is created to read:

29.563 (2) (d) 2. Pheasant: \$9.75.[✓]

SECTION 6. [✓]29.563 (14) (c) 3. of the statutes is amended to read:

29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer hunting permit, elk hunting license, wild turkey hunting license, Canada goose hunting permit, sharp-tailed grouse hunting permit, pheasant hunting permit,[✓] bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit, or sturgeon fishing permit: 25 cents.

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2-10 cont

SECTION 9435. Effective dates; natural resources.

(1) PHEASANT HUNTING. The treatment of sections 20.370 (1) (hw), 29.185, 29.1915, and 29.563 (2) (c) 3. and (14) (c) 3. of the statutes, the renumbering of section 29.563 (2) (d) of the statutes, and the creation of section 29.563 (2) (d) 2. of the statutes take effect on April 1, 2006.

(end ins 2-10)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0383/3dn
RNK:jld:rs

January 11, 2005

This draft authorizes DNR to issue pheasant hunting permits for hunting pheasant on DNR lands that are stocked with pheasants. I have included certain exemptions from the permitting requirements that are similar to the pheasant hunting stamp exemptions under current law (s. 29.191 (2) (a) 2., 3., and 4., stats.). You will note that the exemptions include an exemption for any person hunting pheasant outside of a pheasant management zone. If you did not intend to include these exemptions, please let me know and I will redraft accordingly.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us



1500
State of Wisconsin
2005 - 2006 LEGISLATURE

RmR
+
LRB-0383/3

RNK:jld:rs

D-Note

1/21

DOA:.....Statz, BB0127 - Pheasant hunting

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Don't gen

1

AN ACT ...; relating to: the budget.

who applies for the permit and

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

FISH, GAME, AND WILDLIFE

Under current law, no person may hunt pheasant without a license issued by DNR. With certain exceptions, the hunter must also have a pheasant hunting stamp, issued by DNR, attached to, or imprinted on, the person's license. DNR charges a fee for both the hunting license and the stamp.

This bill generally requires a person to obtain an additional permit from DNR in order to hunt pheasants on certain pheasant stocked lands under DNR's management and control. Under the bill, DNR *must* issue these permits to any person who has a valid conservation patron license or who has a valid pheasant hunting stamp attached to or imprinted on the person's small game or sports license. The bill authorizes DNR to charge a fee for the permit.

Under this bill, DNR may also authorize managed pheasant hunts in the Bong State Recreation Area and establish a fee to participate in those hunts. The bill requires DNR to expend the moneys received from these fees and from pheasant hunting permit fees to operate these managed pheasant hunts, to pay the costs related to producing pheasants for these hunts, and to stock and propagate pheasants on lands under DNR's management and control.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.370 (1) (hw) of the statutes is created to read:

2 20.370 (1) (hw) *Pheasant hunting fees.* All moneys received under ss. 29.185
3 and 29.1915 for the stocking and propagation of pheasants on lands under the
4 department's ownership, management, supervision, or control and for the operation
5 of managed pheasant hunts in the Bong State Recreation Area under s. 29.1915.

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 2.** 29.185 of the statutes is created to read:

7 **29.185 Pheasant hunting permits. (1) REQUIREMENT.** No person may hunt
8 pheasant on lands that are stocked with pheasants and that are under the
9 department's ownership, management, supervision, or control unless the person has
10 been issued a pheasant hunting permit by the department.

11 **(2) ISSUANCE.** (a) The department ~~may~~^{shall} issue a pheasant hunting permit, to any
12 of the following who apply for the permit:

13 1. The holder of a valid conservation patron license.

14 2. The holder of a valid license authorizing the hunting of small game to which
15 is attached, or on which is imprinted, a pheasant hunting stamp issued under s.
16 29.191 (2).

17 3. The holder of a valid sports license to which is attached, or on which is
18 imprinted, a pheasant hunting stamp issued under s. 29.191 (2).

19 (b) 1. Any person who is exempt from the requirement to have a license
20 authorizing the hunting of small game or who is not required to pay a fee for a license

1 authorizing the hunting of small game is exempt from the requirements under par. ^{permit}

2 ~~(a)~~ sub.(1) ✓

3 2. Any person hunting pheasant under s. 29.195 is exempt from the
4 ^{permit} requirements under par. (a) ~~sub.(1)~~ sub.(1)

5 (3) RECORD OF PHEASANT TAKEN. The department may require, by rule, that each
6 person that is issued a pheasant hunting permit under this section record the
7 number of pheasant taken by that person on lands under the department's
8 ownership, management, supervision, or control.

9 (4) USE OF MONEY FROM FEES. The fees collected under this subsection shall be
10 credited to the appropriation under s. 20.370 (1) (hw).

11 SECTION 3. 29.1915 of the statutes is created to read:

12 **29.1915 Managed pheasant hunts.** The department may authorize
13 managed pheasant hunts in the Bong State Recreation Area. The department may
14 establish a fee to participate in those hunts. The fees collected under this section
15 shall be credited to the appropriation under s. 20.370 (1) (hw).

16 SECTION 4. 29.563 (2) (c) 3. of the statutes is created to read:

17 29.563 (2) (c) 3. Pheasant: \$9.75.

18 SECTION 5. 29.563 (2) (d) of the statutes is renumbered 29.563 (2) (d) 1.

19 SECTION 6. 29.563 (2) (d) 2. of the statutes is created to read:

20 29.563 (2) (d) 2. Pheasant: \$9.75.

21 SECTION 7. 29.563 (14) (c) 3. of the statutes is amended to read:

22 29.563 (14) (c) 3. Each application for a hunter's choice permit, bonus deer
23 hunting permit, elk hunting license, wild turkey hunting license, Canada goose
24 hunting permit, sharp-tailed grouse hunting permit, pheasant hunting permit,

1 bobcat hunting and trapping permit, otter trapping permit, fisher trapping permit,
2 or sturgeon fishing permit: 25 cents.

3 SECTION 8. 29.563 (14) (c) 4. of the statutes is amended to read:

4 29.563 (14) (c) 4. Each bonus deer hunting permit issued for which a fee is
5 charged under s. 29.563 (2) (c) 1. or (d) 1.: 75 cents.

6 **SECTION 9435. Effective dates; natural resources.**

7 (1) PHEASANT HUNTING. The treatment of sections 20.370 (1) (hw), 29.185,
8 29.1915, and 29.563 (2) (c) 3. and (14) (c) 3. and 4. of the statutes, the renumbering
9 of section 29.563 (2) (d) of the statutes, and the creation of section 29.563 (2) (d) 2.
10 of the statutes take effect on ~~April~~^{March} 1, 2006.

11 (END)

d-note
↓

2005-2006 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0383/4ins.
RNK:.....

INSERT 4-5

SECTION 9135. Nonstatutory provisions; natural resources.

(1) PHEASANT HUNTING PERMITS; RULES. Using the procedure under section 227.24 of the statutes, the department of natural resources may promulgate rules implementing section 29.185 of the statutes, as created by this act, for the period before the date on which permanent rules take effect, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0383/4dn

RNK:.....

JW

Andrew Statz:

As requested, this version of the draft includes an emergency rule-making provision.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.state.wi.us

and changes the delayed effective
date to March 1, 2006

prefer instead to have

but not be required,

Please note that under this draft, DNR is required to issue pheasant hunting permits. There ^{has} been some discussion with DNR to suggest that DNR ~~should~~ might the authority to issue the permits. ~~What does it~~ let me know if the permit requirement, as drafted, is ^{not} consistent with your intent.

management

Also, a previous drafter's note indicated that the draft includes a permit exemption for persons hunting outside a pheasant ~~management~~ zone. ~~that that was not~~ The draft, in fact, does not include such an exemption because, as I understand it, pheasant stocked DNR lands are all within a pheasant management zone. ^{of}

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0383/4dn
RNK:jld:rs

January 21, 2005

Andrew Statz:

As requested, this version of the draft includes an emergency rule-making provision and changes the delayed effective date to March 1, 2006.

Please note that under this draft, DNR is required to issue pheasant hunting permits. There has been some discussion with DNR to suggest that DNR might prefer instead to have the authority, but not be required, to issue the permits. Let me know if the permit requirement, as drafted, is not consistent with your intent.

Also, a previous drafter's note indicated that the draft includes a permit exemption for persons hunting outside of a pheasant management zone. The draft, in fact, does not include such an exemption because, as I understand it, pheasant stocked DNR lands are all within a pheasant management zone.

Robin N. Kite
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E-mail: robin.kite@legis.state.wi.us

Per Andrew Statz -
→ 0383 -

don't want to refer to Bong -

~~2~~
ie. take out that part of draft pertaining
to managed pheasant hunts at Bong

5 RHP
Eld

DOA:.....Statz, BB0127 - Pheasant hunting

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Do Not Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

FISH, GAME, AND WILDLIFE

Under current law, no person may hunt pheasant without a license issued by DNR. With certain exceptions, the hunter must also have a pheasant hunting stamp, issued by DNR, attached to, or imprinted on, the person's license. DNR charges a fee for both the hunting license and the stamp.

This bill generally requires a person to obtain an additional permit from DNR in order to hunt pheasants on certain pheasant stocked lands under DNR's management and control. Under the bill, DNR must issue these permits to any person who applies for the permit and who has a valid conservation patron license or a valid pheasant hunting stamp attached to or imprinted on the person's small game or sports license. The bill authorizes DNR to charge a fee for the permit.

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For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 20.370 (1) (hw) of the statutes is created to read:

2 20.370 (1) (hw) *Pheasant hunting fees.* All moneys received under ss. 29.185

3 ~~and 29.1915~~ for the stocking and propagation of pheasants on lands under the
4 department's ownership, management, supervision, or control ~~and for the operation~~
5 ~~of managed pheasant hunts in the Bong State Recreation Area under s. 29.1915.~~

 ***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

6 **SECTION 2.** 29.185 of the statutes is created to read:

7 **29.185 Pheasant hunting permits. (1) REQUIREMENT.** No person may hunt
8 pheasant on lands that are stocked with pheasants and that are under the
9 department's ownership, management, supervision, or control unless the person has
10 been issued a pheasant hunting permit by the department.

11 **(2) ISSUANCE.** (a) The department shall issue a pheasant hunting permit, to
12 any of the following who apply for the permit:

13 1. The holder of a valid conservation patron license.

14 2. The holder of a valid license authorizing the hunting of small game to which
15 is attached, or on which is imprinted, a pheasant hunting stamp issued under s.
16 29.191 (2).

17 3. The holder of a valid sports license to which is attached, or on which is
18 imprinted, a pheasant hunting stamp issued under s. 29.191 (2).

19 (b) 1. Any person who is exempt from the requirement to have a license
20 authorizing the hunting of small game or who is not required to pay a fee for a license

1 authorizing the hunting of small game is exempt from the permit requirement under
2 sub. (1).

3 2. Any person hunting pheasant under s. 29.195 is exempt from the permit
4 requirement under sub. (1).

5 (3) RECORD OF PHEASANT TAKEN. The department may require, by rule, that each
6 person that is issued a pheasant hunting permit under this section record the
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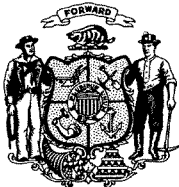
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21 of the statutes take effect on March 1, 2006.

22 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0383/5
RNK:jld&kjfrs

DOA:.....Statz, BB0127 - Pheasant hunting

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

NATURAL RESOURCES

FISH, GAME, AND WILDLIFE

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25 before the date on which permanent rules take effect, but not to exceed the period

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2 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the department of natural
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10 (2) (d) of the statutes, and the creation of section 29.563 (2) (d) 2. of the statutes take
11 effect on March 1, 2006.

12 (END)